

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JANUARY 13, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Revised Annual Meeting Notice of December 31, 2013 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney:	Tim Arch
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Mayor Dobies asked for a motion to place the following items on the Agenda for tonight's meeting in Executive Session; (1) DPW Contract; (2) Police Contract; (3) White Collar Contract and (4) Department Head Increases. Mayor Dobies also reviewed Robert's Rules of Order and the format on how the council meetings would be handled in 2015.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING-NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1868-15 by title for introduction.

ORDINANCE NO. 1868-15

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY
OF MIDDLESEX, NEW JERSEY, CHAPTER 367 SWIMMING POOL, MUNICIPAL, SECTION
367-3 FEES**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX THAT:

Section 367-3 Fees and charges is amended to read as follows:

Fees and charges shall be as follows:

A. Schedule of fees.

1. Resident family membership: \$240 per season if paid after April 15 of each year and \$225 if paid prior thereto.
 2. Resident individual membership: \$160 per season if paid after April 15 of each year and \$145 if paid prior thereto.
 3. Resident senior citizen membership: \$35 per season.
 4. Nonresident family membership: \$345 per season.
 5. Nonresident individual membership: \$220 per season.
 6. Nonresident senior citizen membership: \$65 per season.
- E. The Swim Pool Commission has the authority to increase the membership fees by no more than 10% per year with the stipulations that the rates are not raised more than 30% over the next five years.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey as follows:

1. The Governing Body does hereby amend Section 367-3 Fees and Charges as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Councilman Greco moved for introduction seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the December 23, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Schueler and carried by the following

roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan has the preliminary 2015 budget sheets and will sit down with the Finance Committee on Saturday at 8 AM to make adjustments and then forward their recommendations to the council.
2. Recreation/Recreation Fields/Water & Light
 - A. Swim Pool Commission had their Reorganization Meeting and discussion was held and agreement was reached on the pool rates. The main pool should be completed by pool opening, and the lap pool should be ready during the swim season. Councilman Greco spoke with the Treasurer and the auditor about the borough taking the interest from the pool funds. Councilman Kaplan is recommending that we come up with a compromise and bill the pool, rather than taking their interest.
 - B. Recreation Commission held their Reorganization Meeting and a chairman was elected.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey made a motion to accept Ryan S. Shepherd as a Junior Fire Fighter for the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - B. The Board of Health met and Mr. Harrity was nominated President and Ms. Bigge was voted Vice President.
4. Public Works/Parks/Sanitation/Recycling –
 - A. Councilman Schueler met with the DPW Manager to discuss Goals for year and areas to concentrate on. This included discussion of staffing changes to better allow for appropriate training in specialty areas such as the Sewer Department. We discussed several options in this and other departments to maximize usage of the current manpower and plans to look at the feasibility of more men on street to get the work done. This would include the recent changes to fill vacant positions in driver and Assistant mechanic.
 - B. Councilman Schueler indicated that the brine system is on site and we discussed the capacity and pre planning required for usage. Training is being set up by the vendor and this is time sensitive. We discussed revisiting the concept of micro paving to maximize our efforts in our road paving project. There have been advances in the effectiveness and the technology since we last reviewed this as

an option. This will be something to discuss with the engineer, as it may provide some roads with new life if they are developing cracking.

- C. Additional emphasis will be on the Sewer Department and the necessity to effectively clean/repair catch basins and document these cleanings and repairs. We discussed establishing plans for these cleanings as well as documentation of weak or damages sections in the sewer system, so that they could be targeted in our long and short term plans.
 - D. Also discussed was the need for education of the public on appropriate things to be deposited in the waste stream vs. the recycling stream. We discussed the staff was currently placing stickers on residents garbage that contained inappropriate materials. In conjunction with completing the changes for the garbage ordinance to make it easier for the residents to understand and for the borough to enforce, we discussed the need to work with the schools and the Board of Education as much of the education on these areas comes from the children to the parents. We also want to balance the cost of the materials with opportunities for having it available on the website to download rather than having to rely exclusively on paper handouts. However, we will need to have some hard copies available for distribution at events and for those without connectivity.
 - E. Our recent minor snow events were handled with salting as the accumulation was not sufficient for effective plowing.
- 5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden moved the approval of the December, 2014 Zoning Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 - 6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk mentioned that he has scheduled a meeting with the Borough Clerk for updates.

REPORTS

Mayor

- 1. New Pump Station – Mayor discussed the possibility of a pump station on the south side of the railroad tracks.
- 2. Taping of Governing Body Meetings – Mayor Dobies moved this matter to the Finance Committee to review.
- 3. Ordinance and Policy Revisions – Mayor Dobies is working on three ordinances and will communicate with liaison to the administration Councilman Mikolajczyk on these revisions.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Consent Agenda 2014(B)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex wishes to remove Resolution #35-15, #40-15, #42-15, #43-15 and #45-15 from this Consent Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #33-15 – Resolution #34-15
Resolution #36-15 – Resolution #39-15
Resolution #41-15
Resolution #44-15
Resolution #46-15 – Resolution #48-15

Councilman Madden made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #33-15

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 6/5/14; and

WHEREAS, Jeffrey Buccellato deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 604 Decatur Ave was inspected by Angelo Rossi, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of Jeffrey Buccellato, 313 Beechwood Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2014-004.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #34-15

**AUTHORIZING THE BOROUGH OF MIDDLESEX TO ENDORSE THE CONOVER PLACE
NJDEP TREATMENT WORKS APPROVAL APPLICATION**

WHEREAS, the Owners of the properties located at Block 25, Lot 5 (aka 96 Conover Place) and Block 25 Lot 1 (aka 92 Conover Place) wish to connect to the Borough of Middlesex sanitary sewer system and abandon the existing septic systems; and

WHEREAS, the Owners have agreed to pay all fees and costs associated with the construction of the sanitary sewer extension and the abandonment of the existing septic; and,

WHEREAS, the Borough of Middlesex will be the Owner and Operator of the proposed sewer; and,

WHEREAS, the Borough of Middlesex will be the Applicant for the proposed sewer extension; and,

WHEREAS, the New Jersey Department of Environmental Protection requires a permit for the extension of sanitary sewers; and,

WHEREAS, the Borough of Middlesex will be Owner/Applicant and, therefore; must submit the application to the New Jersey Department of Environmental Protection

WHEREAS, the owners of record for Lot 5 and Lot 1 in Block 25 have or shall agree to pay all fees and costs incurred by the Borough to effectuate the sanitary sewer extension, including, but not limited to the costs of the application to the New Jersey Department of Environmental Protection; and,

WHEREAS, the owners of record for Lot 5 and Lot 1 in Block 25 shall, at no cost to the Borough, abandon their existing septic systems to the satisfaction of the Borough.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Middlesex formally approves the submission of the New Jersey Department of Environmental Treatment Works Approval application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the application on behalf of Borough of Middlesex and that their signature constitutes acceptance of the terms and conditions of the permit upon issuance.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #36-15

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow account:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
248/43	Innovative Builders of NJ LLC 927 Lincoln Blvd	\$ 101.50	7760142583

including interest to date of refund.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #37-15

Middlesex County Board of Taxation judgment on the following property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
108/15	Nielsen, June & Koerner, Kurt A 363 Union Avenue	\$2,730.55 old 1 st \$2,126.89 new \$2,730.55 old 2 nd \$2,126.89 new

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #38-15

**RESOLUTION APPOINTING JACK MIKOLAJCZYK AS THE MAYOR'S REPRESENTATIVE
AND VIC CAPOLUNGI AS THE GOVERNING BODY REPRESENTATIVE TO THE
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2015**

WHEREAS, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2015; and

WHEREAS, the Borough of Middlesex is authorized to have a representative appointed to this Committee, one to be appointed by the Mayor and one to be appointed by the Governing Body; and

WHEREAS, the Mayor has appointed Jack Mikolajczyk as his Class I representative to the Housing and Community Development Committee for 2015; and

WHEREAS, the Governing Body has appointed Vic Capolunghi as their representative to the HUD Committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that:

1. The Mayor hereby appoints Jack Mikolajczyk as the Class I representative and the Governing Body hereby appoints Vic Capolunghi as its representative to the Middlesex County Housing & Community Development Committee for the year 2015.
2. The Borough Clerk is hereby authorized and directed to send a letter to the Housing & Community Development Committee advising the Committee of names, addresses and telephone numbers of the two people who will be serving as representatives for the Borough of Middlesex to the Housing & Community Development Committee for 2015.
3. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #39-15

WHEREAS, Beechwood Heights Fire Company No. 2 has requested to hold fund raising within the borough of Middlesex by conducting two coin tosses within the borough at the intersections of Route 28 and Greenbrook Road; and

WHEREAS, Beechwood Heights Fire Company No. 2 would like to conduct these coin tosses on March 14, 2015 (Alternate Date March 21, 2015) and October 10, 2015 (Alternate Date October 17, 2015) from 9 a.m. – 1 p.m.; and

WHEREAS, Beechwood Heights Fire Company No. 2 has met all of the criteria required in Middlesex Borough Ordinance No. 1747-09, with the exception of the approval of the New Jersey Department of Transportation.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

1. The Governing Body hereby approves Beechwood Heights Fire Company No. 2 conduct coin tosses on March 14, 2015 (Alternate Date March 21, 2015), and October 10, 2015 (Alternate Date October 17, 2015) from 9 a.m. – 1 p.m. at the above locations, pending receipt of approval from the New Jersey Department of Transportation.
2. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #41-15

The governing body hereby declares the following DPW Items surplus effective immediately:

1. 1987 Ford F800, Vin. #1FDXF82KZJVA12628
2. 1988 Ford 655C Backhoe/Loader Model LF3PIZ, Serial #AB00519, Tractor #A400519
3. 1996 Dodge 3500 Truck, Vin. #1B6MF36C1TJ193541
4. 1979 GMC Sierra 6000, Vin. #T16DA9V620000 Sewer Jet Truck
5. 2006 Autocar Garbage Truck, Vin. #5VCDC6MF87H203730
6. 1995 Ford Crown Victoria, Vin. #2FALP71W65X178137

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #44-15

BOROUGH OF MIDDLESEX MIDDLESEX COUNTY, NEW JERSEY

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MIDDLESEX DESIGNATING THAT THE PROPERTIES IDENTIFIED AS BLOCK 136, LOT 29; BLOCK 136, LOT 30; BLOCK 136, LOT 31; BLOCK 136, LOT 32; BLOCK 136, LOT 33; BLOCK 141, LOT 1; BLOCK 141, LOT 5; BLOCK 144, LOT 1; BLOCK 144.01, LOT 1; BLOCK 147, LOT 3; BLOCK 149, LOT 1; BLOCK 149, LOT 5; BLOCK 150, LOT 70; BLOCK 153, LOT 21; BLOCK 153, LOT 22; BLOCK 153, LOT 23; BLOCK 153, LOT 24; BLOCK 153, LOT 25; BLOCK 325, LOT 1; BLOCK 327, LOT 15.01; BLOCK 327, LOT 16; BLOCK 328, LOT 18; BLOCK 328, LOT 22; BLOCK 333, LOT 23; BLOCK 333, LOT 29; BLOCK 333, LOT 29.01; BLOCK 333.01, LOT 1; BLOCK 333.01, LOT 2; BLOCK 333.01, LOT 3; BLOCK 340, LOT 1; BLOCK 340, LOT 6; BLOCK 340, LOT 17; BLOCK 340, LOT 20.01; BLOCK 340, LOT 24.01; BLOCK 340, LOT 29.01; BLOCK 340, LOT 37.01; BLOCK 340, LOT 50; BLOCK 342, LOT 1; BLOCK 343, LOT 1; BLOCK 343, LOT 12; BLOCK 343, LOT 13; BLOCK 349, LOT 5; BLOCK 349, LOT 6.02; BLOCK 349, LOT 7; BLOCK 349, LOT 8; BLOCK 349, LOT 10; BLOCK 349, LOT 10.01; BLOCK 349, LOT 10.02; AND BLOCK 349, LOT 10.03, BE DESIGNATED AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT.

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located within the municipality constitute areas in need of non-condemnation redevelopment; and

WHEREAS, to determine whether the Lincoln Boulevard - Phase 3 Area constitutes an area in need of redevelopment, the Borough Council (the "Council") of the Borough of Middlesex (the "Borough"), by way of Resolution Nos. 324-13 and 96-14, authorized and directed the Borough of Middlesex Planning Board (the "Planning Board") to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether the

property identified as Block 136, Lot 29; Block 136, Lot 30; Block 136, Lot 31; Block 136, Lot 32; Block 136, Lot 33; Block 141, Lot 1; Block 141, Lot 5; Block 144, Lot 1; Block 144.01, Lot 1; Block 147, Lot 3; Block 149, Lot 1; Block 149, Lot 5; Block 150, Lot 70; Block 153, Lot 21; Block 153, Lot 22; Block 153, Lot 23; Block 153, Lot 24; Block 153, Lot 25; Block 325, Lot 1; Block 327, Lot 15.01; Block 327, Lot 16; Block 328, Lot 18; Block 328, Lot 22; Block 333, Lot 23; Block 333, Lot 29; Block 333, Lot 29.01; Block 333.01, Lot 1; Block 333.01, Lot 2; Block 333.01, Lot 3; Block 340, Lot 1; Block 340, Lot 6; Block 340, Lot 17; Block 340, Lot 20.01; Block 340, Lot 24.01; Block 340, Lot 29.01; Block 340, Lot 37.01; Block 340, Lot 50; Block 342, Lot 1; Block 343, Lot 1; Block 343, Lot 12; Block 343, Lot 13; Block 349, Lot 5; Block 349, Lot 6.02; Block 349, Lot 7; Block 349, Lot 8; Block 349, Lot 10; Block 349, Lot 10.01; Block 349, Lot 10.02; And Block 349, Lot 10.03, as shown on the Tax Map of the Borough (the "Phase 3 Study Area"), constitutes an "area in need of non-condemnation redevelopment" in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on April 9, 2014, the Planning Board authorized Paul N. Ricci, P.P., Lic. No. L1005570 (the "Planning Consultant") to conduct an investigation to determine whether the Phase 3 Study Area, or any portion thereof, constitutes an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law, and to prepare a preliminary investigation report of the Study Area (the "Phase 3 Study"); and

WHEREAS, the Planning Consultant prepared the Study, titled "Redevelopment Study and Preliminary Investigation Report Lincoln Boulevard – Phase 3", dated October 14, 2014, which details the findings and recommendations relevant to whether the Phase 3 Study Area should be designated as an area in need of non-condemnation redevelopment, as well as a map of the Phase 3 Study Area; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of non-condemnation redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Redevelopment Law further requires the Planning Board, prior to conducting such public hearing, to publish notice of the hearing in a newspaper of general circulation in the municipality once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the Redevelopment Law further requires such notice to be mailed at least ten days prior to such public hearing to the last owner(s) of the relevant property(ies) and interested parties according to the Borough's assessment records; and

WHEREAS, the Planning Board caused the aforementioned notices to be published in the Borough official newspaper, and provided notice to the affected property owners and interested parties in accordance with the Redevelopment Law; and

WHEREAS, on November 12, 2014, at the time and date of the noticed public hearing, the Planning Consultant, being sworn and qualified as an expert in professional planning, made a presentation of the Phase 3 Study to the Planning Board; and

WHEREAS, in addition to the presentation of the Planning Consultant, at the public hearing the Planning Board heard testimony and evidence from members of the public, who also were given an opportunity to cross-examine the Planning Consultant and address questions to the Planning Board concerning the potential designation of the Phase 3 Study Area as an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Consultant concluded that the Study Area satisfies the criteria (a), (b), (c) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5, and that the Study Area is an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Board did not receive any written comments or objections to the Phase 3 Study prior to or during the public hearing on November 12, 2014; and

WHEREAS, at the conclusion of the public hearing, the Planning Board found that the Planning Consultant's conclusions in the Phase 3 Study and his testimony provide substantial evidence to support the findings that the Study Area satisfies criteria (a), (b), (c) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5, that the public questions and comments did not erode the Planning Consultant's testimony or conclusions, and that the collective designation of the Phase 3 Study Area as an area in need of non-condemnation redevelopment is necessary for the effective redevelopment of the Study Area; and

WHEREAS, by a vote of 7 to 0, the Planning Board unanimously voted to recommend that the Borough Council of the Borough of Middlesex find that the Phase 3 Study Area be designated a an area in need of non-condemnation redevelopment meeting criteria (a), (b), (c) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5; and

WHEREAS, on December 10, 2014, the Planning Board adopted a Resolution memorializing the decision made on November 12, 2014; and

WHEREAS, the Planning Board submitted the memorializing Resolution, along with a copy of the Phase 3 Study and all exhibits presented at the November 12, 2014 public hearing to the Borough Clerk for distribution to the Mayor and Council for consideration thereof; and

WHEREAS, after review and consideration of the Planning Board's recommendation, including all documents submitted therewith, the Borough Council agrees with the conclusion of the Planning Board that the Phase 3 Study Area meets the aforementioned criteria for a non-condemnation redevelopment area designation, and the Borough Council finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council further agrees with the recommendation of the Planning Board that the Phase 3 Study Area, collectively, be designated as an area in need of non-condemnation redevelopment pursuant to the Redevelopment Law, and

WHEREAS, the Borough Council now desires to designate the Phase 3 Study Area, collectively, as an area in need of non-condemnation redevelopment for the effective redevelopment of the Phase 3 Study Area, pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council further desires to authorize and direct the Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Phase 3 Study Area and present same to the entire Borough Council pursuant to N.J.S.A. 40A:12A-7f.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, in the County of Middlesex, and State of New Jersey, as follows:

1. The aforementioned recitals, including the Phase 3 Study and exhibits presented at the November 12, 2014 public hearing before the Planning Board are incorporated herein as though fully set forth at length.

2. The Borough Council hereby designates the Phase 3 Study Area as an area in need of non-condemnation redevelopment pursuant to N.J.S.A. 40A:12A-6, satisfying criteria (a), (b), (c) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5.

3. The Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Phase 3 Study Area (to be hereinafter referred to as the Redevelopment Area), and present same to the entire Borough Council pursuant to N.J.S.A. 40A:12A-7f.

4. The Clerk of the Borough shall forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review and approval by regular and certified mail (return receipt requested).

5. The Borough Clerk shall, within ten (10) days after the Council determination, serve upon all record owners of property located within the Phase 3 Study Area or Redevelopment Area, those whose names are listed on the Tax Assessor's records as interested parties, and upon each person who filed a written objection to the Study to the address listed on the written submission.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #46-15

Authorizing the Mayor and Borough to execute the Settlement of Grievance between the Borough of Middlesex and Sharon Smigel effective January 1, 2015.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #47-15

The governing body hereby authorizes the refund of Towing License Fees in the amount of \$175.00 for the following companies, as they have not met the Zoning requirements to have a towing operation:

Affordable Kustoms/AKR Towing
670 Bound Brook Road
Middlesex, NJ

Rescue Wreckers
107 Egel Avenue
Middlesex, NJ

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #48-15

The application for renewal of Junkyard Licenses for the year 2015 filed by Importico Salvage Corp., Absolute Auto-truck Salvage and Falgi, Inc. has been approved by the Police Department, Fire Official and Board of Health be accepted and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #35-15

WHEREAS, Z Brothers was awarded the contract for 2013 NJ DOT Road Improvements, Fairview Avenue on December 17, 2013 in the amount of \$155,415.09; and

WHEREAS, Revised Change Order #1, is for \$101,595.93 for modifications and adjustments to the contract for various items and which bring the total contract amount for this project to \$257,011.02; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following change order is hereby approved.

Original Contract Sum:	\$155,415.09
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Change Order #1	\$ 96,395.93
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Revised Change Order #1	\$ 5,200.00
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NEW CONTRACT SUM:	\$257,011.02
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NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$5,200.00 are available in Account No. 04-1842-00-1842-84.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk, and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #43-15

The following applications for Towing Licenses for the year 2015 have been approved by the Police Department and met all borough requirements, and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

1. Somerset Hills Towing
2. Lincoln Auto Body
3. Tierno's Automotive Inc.
4. M&W Towing Service
5. Mike's Towing

Councilman Greco made a motion for approval seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution 49-15

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

Councilman Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Recommendation from the Business Community regarding Sewer Usage Fees. Councilman Kaplan, Greco and Schueler met with the business community committee to discuss the Sewer Usage Fees and came back with suggestions. Our present ordinance allows for 40,000 gallons per quarter for residents and the business community. When exceeding 40,000 gallons per quarter, the businesses community would be billed back to zero, which would be based on 9 categories. The committee is

looking to raise revenue and use these funds to improve infrastructure. The recommendation from the business committee was to not revert the 40,000 gallons per quarter back to zero when calculating.

Council President Kaplan indicated that we are currently spending about \$1,600,000 on sewer charges per year and bring in \$570,000 from residential customers and \$400,000 for non-residential customers. Councilman Kaplan mentioned that the town of Old Bridge charges a flat charge of \$540.00 each year which is put in a separate account for infrastructure and maintenance. The Business Committee suggested that if that was done that the charge be \$160.00 per year for residential and businesses would pay \$320.00 per year. The engineer was not in favor of the flat fee, but felt that the 40,000 per quarter could work and recommended reducing the number of classes to 3 (Residential, Commercial and Industrial). The Engineer also recommended getting rid of the ad valorem tax, and following the water company classifications. Also suggested by the engineer was to raise the hookup fees to \$5,000 at the street.

Council President Kaplan stated that the engineer recommended that each business should be sampling wastewater for BOD, suspended solids and chlorine and provide this information to the borough. The residents account for most of the flow, but not most of the loading which comes from the businesses. It was recommended by Council President Kaplan that we ask the County Board of Health to inspect the grease traps, as was done in the past with Middlebrook Board of Health, because not cleaning them gets very expensive.

Mayor Dobies indicated that he does not want to spend tax payers money to recreate the wheel or have a flat charge for residents. The Mayor stated that the 2013 Sewer Fees will be sent out by the end of the week. Council President Kaplan indicated that the sewer committee will bring its final recommendation about the sewer tax back to council.

CORRESPONDENCE

The governing body was given copies of the Planning Board Resolution #2014-04 Regarding Lincoln Boulevard Redevelopment Plan for the Lincoln Boulevard Redevelopment Area. Mayor Dobies will appoint a committee to handle.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Annette Bennett, 217 Lincoln Boulevard requested that the council move along on the area in need of redevelopment as she has two potential buyers of her property and they are looking for more flexibility. Mayor Dobies indicated that he would look into this matter with the appropriate professionals and should be able to give her an answer by the next meeting.

Carol Teracciano, 429 Edgeworth Street thanked Council President Kaplan for attending the Swim Pool Meeting and indicated that the pool provides a lot of opportunities for residents. She indicated that the swim team is waiting a long time for the lap pool and will be disappointed if it is delayed. She would like the council to be sure that the contractors keep their time line and stay on track.

Mayor Dobies stated that he is having the engineer cost out to take it out of town as there is no place in town to put it.

Marc Sowden, Rescue Wreckers requested that a cover letter be given to him with the return of his check for a towing license and requested the code that applies to towing.

Rich Sowden, 107 Egel Avenue requested that the council look into his towing license because he has been in town for 27 years and feels that he is being targeted.

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #50-15

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

- (1) DPW Contract
- (2) Police Contract
- (3) White Collar Contract
- (4) Department Head Increases

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Tim Arch

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #40-15

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Agreement with the Local 255, United Service Workers, IUJAT (White Collar Employees Contract) effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #42-15

The Mayor and Borough Clerk are hereby authorized to execute the Contract between the Middlesex Borough PBA Local 181 and the Borough of Middlesex effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion to table Resolution #42-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #45-15

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Agreement with the Local 255, United Service Workers, IUJAT (Public Works Employees Contract) effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk